

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. :

MAG NO. 15-850

APPLE MAC PRO COMPUTER, et. al. :

ORDER

AND NOW, this day of , 2015, upon consideration of the Government's motion to unseal, and after reviewing the reasons underlying the original motion and order to seal the record in the above-captioned case, and finding that those considerations no longer require all documents in this matter to be sealed, it is hereby

ORDERED

that all documents filed in this matter, all docket entries, and all filings from this date forward are to be unsealed, with the exception of the following items: (1) Government's Memorandum of Law in Support of Motion to Hold Francis Rawls in Contempt, (2) Government's Application Pursuant to the All Writs Act to Require Defendant Rawls to Assist in the Execution of a Previously Executed Search Warrant, (3) the transcripts of the hearings held in this matter on September 10, 2015 and September 30, 2015, (4) the search warrant, and (5) the docket entries associated with these sealed filings. Copies of all sealed documents and transcripts are to be provided only to Michelle Rotella, Assistant United States Attorney.

BY THE COURT:

HONORABLE L. FELIPE RESTREPO
United States District Court Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. :

MAG NO. 15-850

APPLE MAC PRO COMPUTER, et. al. :

GOVERNMENT'S MOTION TO UNIMPOUND

The United States of America, by and through its attorneys, Zane David Memeger, United States Attorney in and for the Eastern District of Pennsylvania, and Michelle Rotella, Assistant United States Attorney for the District, moves to unimpound the within documents and related docket entries, and in support of its Motion states as follows:

1. The within matter was previously sealed by the Court, based on the reasons articulated in the government's Motion to Impound, namely that making the documents public would jeopardize the government's interest in protecting cooperating witnesses and ongoing criminal investigations.

2. Subsequent to the filing of sealed documents, there have been two contempt hearings held: September 10, 2015 by the Honorable Thomas J. Rueter, United States Magistrate Court Judge, and September 30, 2015 by the Honorable L. Felipe Restrepo, United States District Court Judge.

3. As a result of the hearing held on September 30, 2015, Francis Rawls was found to be in contempt and remanded to the custody of the United States Marshal Service. The underlying criminal investigation was revealed at the hearings, and as a result, unsealing the

record will no longer jeopardize the government's ongoing criminal investigation.

4. The government has no objection to the Court unsealing the record.

However, the government requests that the names of the victims be redacted from any public access, as well as the name/identifying information of the cooperating witness, and that the following documents remain sealed: (1) Government's Memorandum of Law in Support of Motion to Hold Francis Rawls in Contempt, (2) Government's Application Pursuant to the All Writs Act to Require Defendant Rawls to Assist in the Execution of a Previously Executed Search Warrant, (3) the transcripts of the hearings held in this matter on September 10, 2015 and September 30, 2015, (4) the search warrant, and (5) the docket entries associated with these sealed filings.

5. Although the public has a common law right of access to judicial proceedings and papers, matters relating to protecting cooperating witnesses are traditionally conducted ex parte and in camera, with deference to the government's determination that investigative matters should be sealed.

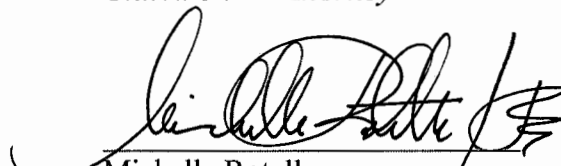
6. Accordingly, the government requests that this Court unseal the record to mandate that all future filings shall be public, unless otherwise noted, and to permit access to all documents with the exception of the following: (1) Government's Memorandum of Law in Support of Motion to Hold Francis Rawls in Contempt, (2) Government's Application Pursuant to the All Writs Act to Require Defendant Rawls to Assist in the Execution of a Previously Executed Search Warrant, (3) the transcripts of the hearings held in this matter on September 10, 2015 and September 30, 2015, (4) the search warrant, and (5) the docket entries associated with these sealed filings. The government further requests that the Clerk of Court be directed to provide copies of the sealed documents only to Michelle Rotella, Assistant United States

Attorney.

7. Elizabeth Toplin, Assistant Federal Defender, has no objection to the government's Motion.

Respectfully submitted,

ZANE DAVID MEMEGER
United States Attorney



Michelle Rotella
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that a copy of the Government's Motion to Unseal was served by email and e-filing on the following defense counsel:

Elizabeth Toplin, Assistant Federal Defender
Elizabeth_toplin@fd.org

s/ Michelle Rotella
MICHELLE ROTELLA
Assistant United States Attorney

Dated: October 7, 2015.